

**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM<sup>1</sup>**  
**U.S. Army Corps of Engineers**

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

**SECTION I: BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): March 27, 2020**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** CESAM-RD-A, Town of Butler - Zack Rogers Park Trails Project, SAM-2019-01032-ELB

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: AL County/parish/borough: Choctaw City: Butler  
Center coordinates of site (lat/long in degree decimal format): Lat. 32.094861°, Long. -88.242696°  
Name of nearest waterbody: Wahalak Creek  
Name of watershed or Hydrologic Unit Code (HUC): Wahalak Creek HUC# 031602010904

- Check if map/diagram of review area is available upon request.  
 Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

**D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

- Office (Desk) Determination. Date: March 24, 2020  
 Field Determination. Date(s): [Click here to enter a date.](#)

**SECTION II: SUMMARY OF FINDINGS**

**A. RHA SECTION 10 DETERMINATION OF JURISDICTION.**

There are no "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

**B. CWA SECTION 404 DETERMINATION OF JURISDICTION.**

There are no "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

**SECTION III: DATA SOURCES.**

**A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):**

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Provided by agent  
 Data sheets prepared/submitted by or on behalf of the applicant/consultant.  
 Office concurs with data sheets/delineation report.  
 Office does not concur with data sheets/delineation report.  
 Data sheets prepared by the Corps: [Click here to enter text.](#)  
 U.S. Geological Survey Hydrologic Atlas: [Click here to enter text.](#)  
 USGS NHD data.  
 USGS 8 and 12 digit HUC maps.  
 U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 Choctaw County  
 USDA Natural Resources Conservation Service Soil Survey. Citation: USDA Web Soil Survey Layer – Choctaw County, Alabama September 16, 2019  
 National wetlands inventory map(s). Cite name: USFWS NWI Map Choctaw County – August 29, 2019  
 State/Local wetland inventory map(s): [Click here to enter text.](#)  
 FEMA/FIRM maps: 01023C0276D eff. 09/03/2010  
 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): Aerial images, DigiGlobe; 2019-12-28  
 or  Other (Name & Date):  
 Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)  
 Applicable/supporting case law: [Click here to enter text.](#)  
 Applicable/supporting scientific literature: [Click here to enter text.](#)  
 Other information (please specify): [Click here to enter text.](#)

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** A desktop survey indicates potential wetland characteristics and waters of the United States within the project area. An unnamed intermittent stream is shown to flow across the southwest corner of the property which eventually connects

<sup>1</sup> This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

with Wahalak Creek, with potential immediately adjacent palustrine forested wetlands. However, the stream is located west of the proposed project site, and the project engineer has confirmed the proposed trail system will be tied into the parking lot and will not be impacting that stream or any on-site wetlands. Additionally, a USDA soils mapper has shown the primary soils throughout the property are Luverne sandy loams, which is not a classified Alabama hydric soil. Additionally, two ponds exist along the eastern boundary of the property; however, isolation is assumed due to no apparent connectivity by tributary or wetland characteristics.

Based on a desktop survey of the USDA soils mapper, National Wetland Inventory, FEMA maps in association with the maps provided by the agent, the USACE PM has verified the project review area, as proposed within the footprint of the subject trail work, consists of non-jurisdictional uplands.